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*Counsel for Plaintiffs and  
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**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION**

ROBERT W. ODELL, JR.;  
GREGORY MICHAEL PINGOT;  
KATIE ANN KOTULA; CONNIE  
JOYCE JONES; PATRICIA LYNN  
VERLANDER; KEVIN WEBBER;  
AUSTIN ROBERT ISAAC  
HUDNUTT; CHRISTIAN TOUGAS;  
CHARLES CHRISTIAN GALTON;  
TRAVIS WAYNE ROBERTSON;  
and KEVIN MCALLISTER,  
on their own behalf and on behalf  
of all others similarly situated,

*Plaintiffs,*

v.

KALITTA AIR, LLC, and CONRAD  
("CONNIE") KALITTA,

*Defendants.*

Civil Action No.:  
1:22-cv-12290-TLL-PTM

## NOTICE OF CASE-RELATED EVENTS

Plaintiffs provide this notice to the Court of several case-related events that have taken place over the past few months that have been brought to counsels' attention, including: (1) the death of a named plaintiff; (2) the removal of lugnuts from the vehicle of a putative class member who organized efforts against the COVID-19 vaccine mandate (the "**Mandate**") at issue in this case; and (3) a threat to another Mandate protest organizer that involved his wife being stalked and then told to: "Tell Joe [the individual whose lugnuts were removed] and Clint [her husband] to drop the f\*cking lawsuit!"

### **I. DEATH OF A NAMED PLAINTIFF**

Pilot Kevin McAllister, a named plaintiff in this case, sadly passed away just before Christmas. Needless to say, his death has been difficult for his family, Plaintiffs, and counsel alike. While Mr. McAllister's death was tragic and untimely, foul play is not suspected. Plaintiffs will seek to amend their Complaint at the appropriate time.

### **II. INTIMIDATION OF PUTATIVE CLASS MEMBERS AND POTENTIAL WITNESSES BY UNKNOWN SOURCES**

Putative class member Joseph "Joe" Rayes was a mechanic for Defendant Kalitta Air, LLC ("**Kalitta**") who was fired by the company after being placed on unpaid leave as an "accommodation" for his sincerely held religious beliefs that

prevented him from complying with Kalitta's Mandate. Before and after his termination, Mr. Rayes was very active in opposing the possible mass termination that was threatened due to the Mandate. Mr. Rayes was instrumental in organizing employees at Kalitta's Oscoda maintenance base in resistance to the Mandate and to support those interested in pursuing legal action against Kalitta after the mass termination took place.

After being fired by Kalitta in March 2022, Mr. Rayes took a job working for USA JET, located at the same airport as Kalitta's maintenance facility. Though unvaccinated, Mr. Rayes often works alongside Kalitta Air employees for extended periods of time. He is known as a leader in Oscoda against vaccine mandates and, as such, has purportedly been identified by Kalitta as a "troublemaker" who refused to align himself with company policy regarding the Mandate. Mr. Rayes continues to voice opposition to the company's actions related to the Mandate.

On November 1, 2022, after the instant action was initiated, Mr. Rayes was driving to work when his front left tire suddenly came off the axle causing his truck to cross through the oncoming lane. Thankfully, he was traveling at a low rate of speed and was able to slide off the road without suffering physical harm. Upon inspection, it was clear that the lugnuts on his wheel had been removed. The threads on the axle bolts showed no signs of discoloration from weather or stripping,

indicating that the lugnuts had been manually removed rather than all simultaneously somehow working themselves off due to a defect. After thoughtful consideration of the incident, Mr. Rayes firmly believes that the sabotage of his vehicle was an act of spite, or a warning, taken against him by someone at Kalitta Air due to his forceful opposition to the Mandate—there is no one else who would have reason to harbor such animosity toward him or wish to harm him in that way. Mr. Rayes is obviously concerned that similar acts could continue or that it might happen to others associated with this case. He immediately filed a police report concerning the incident with the Alcona County Sheriff’s Department. Attached as **Exhibit 1** is a true and correct copy of Mr. Rayes’ Police Report, marked as Incident No. 22-002501.

Another individual with whom Joe Rayes worked in opposition to the Mandate at the Oscoda facility is Clint Moore. He is known alongside Mr. Rayes as one of the leaders opposing Kalitta’s Mandate and related actions. On November 18, 2022, after this lawsuit was filed and after Mr. Rayes’ tire suspiciously fell off his vehicle, Mr. Moore’s wife—Marie Richardson—was followed to several locations in Oscoda Township by an unknown male who was “well dressed” with “greyish hair” and in his 50’s.

Ms. Richardson was first alerted that she was being shadowed when grocery shopping. The unidentified male followed Ms. Richardson into Family Fare grocery store while she was shopping, followed her throughout the store, and checked out right behind her. The man then followed her to a Speedway gas station. Because Ms. Richardson had noticed the man previously and suspected she was being followed, she stayed in her car at the gas station. The man then followed her to the Huntington Bank. After she parked, the man pulled his vehicle (a Red Ford Excursion) perpendicular behind her vehicle and blocked her in. He then rolled down his window and shouted at her: “Tell Joe [Rayes] and Clint [her husband] to drop the f\*cking lawsuit!” Ms. Richardson went directly to the Oscoda Police Department (along with her husband and Joe Rayes) and filed a report based on stalking and witness intimidation. The event is currently under investigation. Attached as **Exhibit 2** is a true and correct copy of Ms. Richardson’s Police Report, marked as Case No. 2263900815.

Both events were reported to the United States Attorney for the Eastern District of Michigan for investigation and have now been referred to the Federal Bureau of Investigation.

February 3, 2023

Respectfully submitted,

/s/ John C. Sullivan

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## **CERTIFICATE OF SERVICE**

I hereby certify that on February 3, 2023, a true and correct copy of this *Notification of Case-Related Events* was served by CM/ECF on all counsel or parties of record.

I certify under penalty of perjury that the foregoing is true and correct.

Dated this 3<sup>rd</sup> day of February, 2023.

/s/ John S. Sullivan

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